

REMARKS

Claims 1, 3-18, and 21 are pending in the application. Claims 2, 19-20, and 22 have been canceled. Claims 1, 3-8, 10, 12-18 and 21 have been amended. Support for the amendments and the new claims can be found in the original specification. No new matter has been added.

REJECTION OF CLAIMS 1-22 UNDER 35 U.S.C. § 102(b)

On page 2, paragraph 1 of the Office Action, the Examiner rejects claims 1-22 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,876,625 to *Collins et al.* The Examiner argues that *Collins* discloses, specifically in the abstract and in examples 26-30, the applicant's claimed process, including a composition comprising an oxidatively stable bleach catalyst having the structure of the macrocyclic metal complex of applicant's formula 1, a compound having the structure of the macrocyclic metal complex of applicant's formula 1A, and applicant's oxidizing agents.

It is well settled that in order for a prior art reference to anticipate a claim, the reference must disclose each and every element of the claim with sufficient clarity to prove its existence in prior art. The disclosure requirement under 35 USC 102 presupposes knowledge of one skilled in art of claimed invention, but such presumed knowledge does not grant license to read into prior art reference teachings that are not there. See *Motorola Inc. v. Interdigital Technology Corp.* 43 USPQ2d 1481 (1997 CAFC).

Applicant has amended independent claim 1 to claim a process for dyeing textiles comprising dyeing the textiles with a reactive dye and subjecting the dyed textiles to at least one post dyeing rinsing step wherein in at least one of the post-dyeing rinse steps the dyed textile material is contacted with an oxidizing system

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comprising the macrocyclic metal complex of formula 1 and an oxidizing agent. *Collins* does not disclose a process of dyeing textiles with a reactive dye and then subjecting the dyed textile to this oxidizing system in a post dyeing rinsing step.

In examples 26-30, *Collins* addresses the areas of dye transfer inhibition, anti-soil redeposition, and stain removal. In example 26, a non-reactive dye (pinacyanol chloride), in an aqueous buffer system, is treated with an oxidizing system. Specifically, in col. 24, lines 39-48, *Collins* describes the effectiveness of the oxidizing system in oxidizing and decoloring extraneous or free-flowing dyes released from colored fabrics which are washed in a wash liquor. In doing this, *Collins* discloses that the transfer of extraneous and thus, unwanted dyes from one fabric to another in the wash liquor is prevented. As such, *Collins* clearly puts emphasis on the use of the oxidizing system in wash liquors. Reactive dyes are dyes that enter into a chemical reaction with the material, in this case textiles or fiber, rather than dyes that are set free from the material. Therefore, dyes from a fabric in a wash liquor are clearly not reactive dyes. In examples 27 and 28, solutions of acid blue 25 and acid orange 8 are bleached. Neither example discloses applicant's process in amended independent claim 1. Examples 29 and 30 focus on dye transfer inhibition during a laundry process in the presence of laundry detergents. Neither example discloses a process of dyeing a textile with a reactive dye and then subjecting that textile to a macrocyclic metal complex of formula 1 and an oxidizing agent in a post-dyeing rinse cycle.

Therefore, *Collins* does not anticipate applicant's invention and amended independent claim 1 is in condition for allowance. Also, since claims 3-18 and 21 depend either directly or indirectly from claim 1 and add further limitations thereto, claims 3-18 are in condition for allowance.

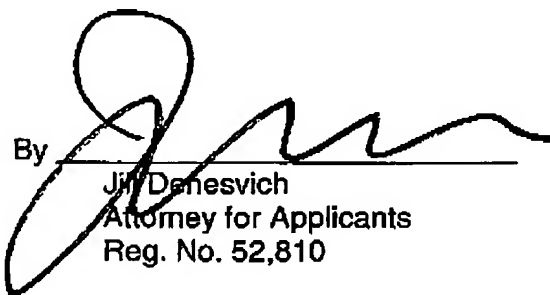
Furthermore, *Collins* fails to suggest Applicants' claimed invention. In particular, *Collins* tries to avoid staining the uncolored fabric through the use of an oxidizing

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system that inhibits dye transfer. Even a slightly colored white fabric/clothes is destroyed. Hence, the result is a possible bleaching of white fabrics. As Applicants' invention does not have an interest in obtaining such a result, one skilled in the art would only look to the drawbacks of such a process, a possible bleaching of the dyed fabric, and would not apply the system to a dyed fabric in a post-dye rinse as claimed in Applicant's amended independent Claim 1.

In view of the above amendments, Applicants submit that the claims are in condition for allowance and the Examiner would be justified in allowing them.

Respectfully submitted,

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